



Michael Feeney

Call: 2021 [Public Access](#)

Practice areas:

Planning, Environment, Licensing, Public Law, Highways, Commons and Open Spaces



Practice Profile

Michael is ranked as a rising star in planning law and has a strong practice across all of Chambers' practice areas, with a particular focus on planning, environmental, highways, and licensing law. Michael acts for a wide range of clients, including central and local government, developers and landowners, and local residents. Michael has extensive High Court and inquiry experience, and he has also represented clients in the Court of Appeal and Supreme Court. Michael has acted successfully for both claimants and defendants in multiple judicial review claims.

Planning

Michael's recent experience appearing at planning appeals includes:

- Sole counsel on behalf of the successful Rule 6 Party at a six-day inquiry for an 18.5MW solar farm, raising issues relating to landscape, heritage and hydrogeology (APP/3374756).
- Sole counsel on behalf of the local planning authority at an inquiry concerning the flooding sequential test and development viability (APP/3372602).
- Sole counsel on behalf of the successful local planning authority at a two-day combined planning and enforcement hearing concerning retrospective EIA development at a quarry site (J/2007/0416/F and J/2014/0027/CA).
- Sole counsel on behalf of the successful local planning authority at a planning appeal raising issues concerning the existing lawful use of a 9-storey building and marketing requirements for the loss of office floor space (APP/3347264).
- Sole counsel on behalf of a local planning authority at a two-day combined planning and enforcement inquiry raising issues relating to the implementation of planning permissions and fallback positions (APP/3326185).
- Sole counsel on behalf of a local planning authority at an enforcement hearing raising issues relating to whether a material change of use had occurred (APP/3350633).

- Junior counsel to Morag Ellis K.C. for the Applicant at the Cardiff Parkway Railway Station call-in inquiry (CAS-02298-X2Q2Q2).

Michael's recent experience in judicial reviews and the High Court includes:

- Sole counsel on behalf of a claimant securing a quashing order by consent at the pre-action stage for failure to comply with the Environmental Impact Assessment Directive.
- Sole counsel on behalf of a claimant securing a quashing order by consent in relation to two Certificates of Lawfulness.
- Sole counsel on behalf of a claimant securing a quashing order by consent at the pre-action stage for failure to comply with heritage statutory duties.
- Sole counsel on behalf of a claimant securing a quashing order by consent in s288 proceedings relating to self-build housing.
- Sole counsel on behalf of the appellant in *Quarry Mews Ltd v SSHCLG* [2025] EWHC 1968 (Admin), an enforcement case raising issues related to the public sector equality duty.
- Sole counsel on behalf of the successful defendant in a claim concerning heritage statutory duties, with permission being refused on the papers and at the subsequent renewal hearing.
- Sole counsel on behalf of the successful defendant in a claim concerning daylight and sunlight impacts, with permission being refused on the papers.
- Sole counsel on behalf of the successful defendant in a claim concerning CIL, with permission being refused on the papers and at the subsequent renewal hearing.
- Junior counsel to Craig Howell Williams K.C. in *Tesco Stores Ltd v Reigate & Banstead BC* [2024] EWHC 2327 (Admin), a case concerning the approach to heritage harm to a listed building, the appropriate standard of reasons when a committee departs from an officer's recommendation and the use of committee transcripts in judicial review challenges.
- Junior counsel to Matt Hutchings K.C. in *Westminster City Council v Gems House Residences Chiltern Street Ltd* [2025] EWHC 1789 (Ch), a case concerning the enforcement of a s.106 obligation containing affordable housing provisions.
- Junior counsel to Saira Kabir Sheikh K.C. in *Bramley Solar Farm Residents Group v SSLUHC* [2023] EWHC 2842 (Admin), a case raising seven grounds of challenge concerning issues such as amendments on appeal, the consideration of alternatives and the interpretation of the NPPF.

Michael has also been instructed as counsel and assisted with multiple judicial review, s.288 and s.289 challenges concerning policy interpretation, heritage statutory duties, the Wheatcroft principle, the Whitley principle, the Environmental Impact Assessment Directive, Green Belt, CIL Regulations, the duty to give reasons and procedural fairness.

Michael also has a busy advisory practice and has provided advice to a wide range of clients on many matters, including:

- The interpretation and application of the Use Classes Order
- The implications of the Supreme Court's judgment in *Hillside* for both developers and local authorities
- The relationship between planning applications and public rights of way
- Prospects of success for potential challenges to appeal decisions
- Prospects of success for appealing against Enforcement Notices
- The implications of the Supreme Court's judgment in *Finch*
- The interpretation of the Community Infrastructure Levy Regulations 2010
- Permitted Development Rights
- Enforcing and interpreting section 106 agreements
- The adoption and content of Supplementary Planning Documents

- Part 8 claim procedure
- Costs awards in the context of a planning appeal
- The content and service of Enforcement Notices
- The legality and enforceability of planning conditions
- Whether a development has been lawfully commenced
- The interpretation of the NPPF in relation to plan-making
- The interpretation of the Town and Country Planning (Control of Advertisement) (England) Regulations 2007

Michael is also experienced in planning enforcement and has acted for both local authorities and defendants in criminal enforcement proceedings. Michael has experience obtaining injunctions under section 187B of the Town and Country Planning Act 1990.

Michael has attended multiple local plan examination hearings and has assisted a Parish Council with their objections to an emerging local plan.

Environment

Much of Michael's planning work raises environmental issues, particularly in relation to the Environmental Impact Assessment Directive and the Habitats Directive. Please see the planning section for more information on Michael's environmental work.

Michael was instructed in a significant prosecution being brought by the Environment Agency against six defendants under sections 33 and 34 of the Environmental Protection Act 1990. Michael has also been instructed as sole counsel in statutory nuisance proceedings under the Environmental Protection Act 1990.

Michael assisted in drafting an Order 53 Statement for a Northern Ireland judicial review claim in respect of consents to allow for the creation of underground gas caverns. The claim raised issues concerning the Habitats Regulations, the correct approach to assessing the environmental effects of decommissioning and cross-cutting.

Michael is a regular contributor to the FTB Environmental Law Blog and has also lectured on the MSC in Construction Law and Dispute Resolution at King's College London on 'Environmental Law in Construction'.

Licensing

Michael has extensive experience in licensing matters and was instructed (as junior to Gerald Gouriet KC) in the Supreme Court case of *Uber Britannia Ltd v Sefton Borough Council* [2025] UKSC 31. Michael has appeared on multiple occasions on behalf of applicants at licensing sub-committee hearings and has successfully obtained new premises licences on numerous occasions, including in Cumulative Impact Zones.

Michael has also been instructed for multiple review and summary review hearings of premises licences, including high-profile reviews receiving local media coverage following allegations of stabbings and

sexual assault.

Michael has also been instructed in licensing appeals concerning premises licences and taxi licences for both appellants and licensing authorities in the Magistrates' Court. Michael has also appeared as sole counsel in the High Court in relation to an appeal by way of case stated.

Michael was recently seconded part-time to Westminster City Council as a legal advisor to the Licensing Sub-Committee, where he gained experience on a wide range of licensing issues.

Michael is on the editorial board of the Journal of Licensing and has written four articles which have been published in the Journal of Licensing on the principle of regularity, Sexual Entertainment Venues, the Public Sector Equality Duty and costs in licensing appeals.

Public Law

Michael has a growing public law practice, and much of his planning, environmental and licensing work is closely related to public law matters such as:

- Procedural fairness (including consultation)
- The duty of candour
- The adequacy of reasons
- Whether a claim has become academic
- Prematurity
- The Public Sector Equality Duty
- The court's discretion to quash
- Protective costs orders
- The possibility of securing injunctive relief

Please see the planning section for more information on Michael's public law practice in the High Court.

Highways, Commons and Open Spaces

Michael was instructed as sole counsel in a four-day Town & Village Green non-statutory public inquiry which raised issues concerning highways and open spaces. Michael also successfully appeared (as junior to Gregory Jones KC) on behalf of an objector in a public right of way inquiry.

Michael has a busy advisory practice and has advised widely on highways law, including its relationship with planning applications and potential challenges to orders made under the Road Traffic Regulation Act 1984.

Michael also acted as junior counsel for National Highways Ltd in successful injunction proceedings relating to the Just Stop Oil protests on the M25. Michael was instructed in the subsequent committal proceedings and has gained experience of conducting cross-examination in the High Court.

Rating, Council Tax and CIL

Michael has advised on a wide range of CIL matters, including securing liability orders, the availability of reliefs and exemptions, the calculation of CIL liability in relation to s73 permissions, the indexation of CIL and the interaction between CIL and permitted development rights. Michael has successfully defended a judicial review claim relating to CIL.

Michael has advised on how to set aside liability orders and has appeared multiple times in the Magistrates' Courts in rating cases, including contested trials. Michael has also appeared on behalf of a successful appellant in the Valuation Tribunal on a Council Tax liability appeal.

Michael also has a growing rating practice, and he has advised on matters such as the availability of exemptions and the correct method of valuation.

During pupillage Michael assisted on a wide range of rating and CIL matters, including assisting on opinions on the scope of proposal principle and CIL education contributions.

Publications and Memberships

- 'Private hire vehicles and contracting' (with Gerald Gouriet KC), Local Government Lawyer (July 2025)
 - 'Curing a breach of the public sector equality duty in the licensing context', Journal of Licensing (November 2023)
 - ["The Principle of Regularity- some reflections"](#), Journal of Licensing (November 2022)
 - ["Sexual Entertainment Venues and the Public Sector Equality Duty"](#) (with Jeremy Phillips KC), Journal of Licensing (July 2022)
 - Drought Permits and Drought Orders, FTB Environmental Law Blog
 - [The Office for Environmental Protection: Strategy, Enforcement and early actions, FTB Environmental Law Blog](#)
 - [Nature Recovery Green Paper: Protected Sites and Species](#), FTB Environmental Law Blog
 - [R \(Richards\) v Environment Agency \[2022\] EWCA Civ 26: A Return to Normalcy](#), FTB Environmental Law Blog
 - Michael Beloff Essay: ["Judicial Review Reform: The Government Response to the Independent Review of Administrative Law"](#), Gray's Inn Student Law Journal.
 - Planning and Environment Bar Association
 - Constitutional and Administrative Law Bar Association
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Qualifications

- Bar Professional Training Course, Distinction
- Graduate Diploma in Law, Distinction
- MA History, The University of Chicago
- MSt History, New College, University of Oxford, Distinction

- BA History, New College, University of Oxford, First
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Academic Awards, Scholarships and Prizes

- Residential Scholarship, Gray's Inn
 - Prince of Wales Scholarship, Gray's Inn
 - Michael Beloff Essay Prize
 - City Law School Scholarship for Academic Excellence
 - Tatjana Finkelstein GDL Scholarship, Gray's Inn
 - Neubauer Family Distinguished Doctoral Fellowship, University of Chicago
 - Social Sciences Fellowship, University of Chicago
 - New College Scholarship for performance in First Year Examinations
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Quotes

'Michael is always approachable, diligent and reliable.'
Legal 500, 2026